

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

DAVID FLOYD DIVINE,

Plaintiff,

v.

CLAIBORNE COUNTY and CODY

LOWE,

Defendants.

No. 3:19-CV-207-PLR-DCP


**JUDGMENT ORDER**

For the reasons expressed in the memorandum opinion filed herewith, Defendants' motion for summary judgment [Doc. 17] is **GRANTED**, and this pro se prisoner's complaint is **DISMISSED WITHOUT PREJUDICE** for want of exhaustion.

Because the Court **CERTIFIED** in the memorandum opinion that any appeal taken from this decision would not be taken in good faith, should Plaintiff file a notice of appeal, he is **DENIED** leave to appeal *in forma pauperis*. See 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24.

The Clerk is **DIRECTED** to close this case.

**SO ORDERED.**

  
CHIEF UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT

/s/ John L. Medearis

CLERK OF COURT